

06-28-04

RCE/21714

93

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Application Number: 09/819,063 Confirmation Number: 9052

Filing Date: September 26, 2000

First Named Inventor: Edwin J. Hall, et al.

Group Art Unit: 2171

Examiner: Wayne P. Amsbury

Attorney Docket Number: 7451.0007-02

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114: Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on _____.
- ii. ☒ Other Consider all 37 C.F.R. §1.56 information that has been submitted but not considered by the Office, e.g., the information (e.g., Information Disclosure Statements, etc.) mailed on 03/22/04, 03/23/04 and 05/05/04, hereby submitted under 37 C.F.R. §1.97(b).
- b. ☐ Enclosed:
- i. ☐ Preliminary Amendment iii. ☐ Information Disclosure Statement
- ii. ☐ Affidavit(s)/Declaration(s) iv. ☐ Other

2. Miscellaneous

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☒ Other Final Updated Notice Regarding Related Litigation to be filed shortly

3. Fees

- a. ☒ The filing fee is calculated as follows:
- i. ☒ \$770.00 RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Petition for extension of time for (____ Months) \$_____
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$_____ enclosed.
- c. ☒ The Commissioner is authorized to charge the amount of \$770.00, and/or any deficiencies in the filing fees, and/or credit any overpayments to our Deposit Account No. 06-0916.

06/30/2004 CNGUYEN 00000145 060916 09819063

01 FC:1801 770.00 DA

Signature of Applicant, Attorney, or Agent Required

Name: Andrew B. Schwaab

Reg. No.: 38,611

Signature: *Andy Schwaab*

Date: June 24, 2004

Certificate of Express Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office to Address" service under 37 C.F.R. § 1.10, in an envelope addressed to MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450 on June 24, 2004 Express Mail No.: EV 533069693US

Name: Andrew B. Schwaab

Signature: *Andy Schwaab*

Date: June 24, 2004